

HB0291S01 compared with HB0291

~~{deleted text}~~ shows text that was in HB0291 but was deleted in HB0291S01.

inserted text shows text that was not in HB0291 but was inserted into HB0291S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ronda Rudd Menlove proposes the following substitute bill:

STATE LABORATORY DRUG TESTING ACCOUNT

AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to drug and alcohol analysis testing and associated funding provisions.

Highlighted Provisions:

This bill:

- ▶ ~~{closes}~~ increases the administrative fee for license reinstatement after an alcohol-related or drug-related offense;
- ▶ increases the amount deposited in the State Laboratory Drug Testing ~~{Restricted~~ Account;

~~— provides that the Legislature may appropriate funds~~ from the Department of Public

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Safety Restricted Account; and

- ▶ requires the Department of Public Safety to report to the Department of Health ~~{for the purpose of performing alcohol and drug analysis tests; and~~
~~—▶ makes technical and conforming amendments;}~~ annually the amount the Department of Public Safety expects to collect from administrative fees for license reinstatement in the next fiscal year.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014-2015:

- ▶ to the Department of Health - Disease Control and Prevention as an ongoing appropriation:

~~{~~ ~~—▶ from the Department of Public Safety Restricted Account, \$670,000.~~

~~—▶ to the Department of Health - Disease Control and Prevention as an ongoing appropriation;}~~

- from the General Fund Restricted - State Laboratory Drug Testing Account, ~~{(\$441);}~~ \$228, ~~{700};~~ 300.

Other Special Clauses:

This bill takes effect on July 1, 2014.

Utah Code Sections Affected:

AMENDS:

~~{26-1-34}~~ 53-3-105, as ~~{enacted}~~ last amended by Laws of Utah ~~{1998}~~ 2011, Chapter ~~{247}~~ 428

53-3-106, as last amended by Laws of Utah 2012, Chapter 356

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~{26-1-34}~~ 53-3-105 is amended to read:

~~{~~ ~~26-1-34. Restricted account created to fund drug testing for law enforcement agencies.~~

~~— [(1) There is created within the General Fund a restricted account known as the State Laboratory Drug Testing Account.]~~

~~— [(2) The account consists of a specified portion of fees generated under Subsection 53-3-106(5) from the reinstatement of certain licenses, which shall be deposited in this~~

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account.]

~~——— [(3)] (1) The Department of Health shall use the funds [in this account] appropriated to the department under Subsections 53-3-106(5) and (11) solely for the costs of performing [drug and alcohol analysis tests for state and local law enforcement agencies, and] the tests described in Subsection (2).~~

~~——— (2) The department shall perform a drug or alcohol analysis test at the request of a state or local law enforcement agency.~~

~~——— (3) The department may not [assess any] charge [or] a fee to [the] a state or local law enforcement [agencies for whom the analysis tests are performed] agency for performing a test described in Subsection (2).~~

‡ **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling, and identification cards.**

The following fees apply under this chapter:

- (1) An original class D license application under Section 53-3-205 is \$25.
- (2) An original provisional license application for a class D license under Section 53-3-205 is \$30.
- (3) An original application for a motorcycle endorsement under Section 53-3-205 is \$9.50.
- (4) An original application for a taxicab endorsement under Section 53-3-205 is \$7.
- (5) A learner permit application under Section 53-3-210.5 is \$15.
- (6) A renewal of a class D license under Section 53-3-214 is \$25 unless Subsection (10) applies.
- (7) A renewal of a provisional license application for a class D license under Section 53-3-214 is \$25.
- (8) A renewal of a motorcycle endorsement under Section 53-3-214 is \$9.50.
- (9) A renewal of a taxicab endorsement under Section 53-3-214 is \$7.
- (10) A renewal of a class D license for a person 65 and older under Section 53-3-214 is \$13.
- (11) An extension of a class D license under Section 53-3-214 is \$20 unless Subsection (15) applies.
- (12) An extension of a provisional license application for a class D license under

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Section 53-3-214 is \$20.

(13) An extension of a motorcycle endorsement under Section 53-3-214 is \$9.50.

(14) An extension of a taxicab endorsement under Section 53-3-214 is \$7.

(15) An extension of a class D license for a person 65 and older under Section 53-3-214 is \$11.

(16) An original or renewal application for a commercial class A, B, or C license or an original or renewal of a provisional commercial class A or B license under Part 4, Uniform Commercial Driver License Act, is:

(a) \$40 for the knowledge test; and

(b) \$60 for the skills test.

(17) Each original CDL endorsement for passengers, hazardous material, double or triple trailers, or tankers is \$7.

(18) An original CDL endorsement for a school bus under Part 4, Uniform Commercial Driver License Act, is \$7.

(19) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver License Act, is \$7.

(20) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$20.

(b) A retake of a CDL skills test provided for in Section 53-3-205 is \$40.

(21) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$7.

(22) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$18.

(23) (a) A license reinstatement application under Section 53-3-205 is \$30.

(b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or combination of alcohol and any drug-related offense is \$35 in addition to the fee under Subsection (23)(a).

(24) (a) An administrative fee for license reinstatement after an alcohol, drug, or combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under Part 4, Uniform Commercial Driver License Act, is ~~[\$170]~~ \$230.

(b) This administrative fee is in addition to the fees under Subsection (23).

(25) (a) An administrative fee for providing the driving record of a driver under Section 53-3-104 or 53-3-420 is \$6.

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(b) The division may not charge for a report furnished under Section 53-3-104 to a municipal, county, state, or federal agency.

(26) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.

(27) (a) Except as provided under Subsections (27)(b) and (c), an identification card application under Section 53-3-808 is \$18.

(b) An identification card application under Section 53-3-808 for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$13.

(c) A fee may not be charged for an identification card application if the person applying:

(i) has not been issued a Utah driver license;

(ii) is indigent; and

(iii) is at least 18 years of age.

(28) In addition to any license application fees collected under this chapter, the division shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the fees that the Bureau of Criminal Identification is authorized to collect for the services the Bureau of Criminal Identification provides under Section 53-3-205.5.

Section 2. Section **53-3-106** is amended to read:

53-3-106. Disposition of revenues under this chapter -- Restricted account created -- Uses as provided by appropriation -- Nonlapsing.

~~§(1) (a) As used in this section, "account" means the Department of Public Safety Restricted Account created in this section.~~

~~—(1)(b)~~ There is created within the Transportation Fund a restricted account known as the "Department of Public Safety Restricted Account."

(2) The account consists of money generated from the following revenue sources:

(a) all money received under this chapter;

(b) administrative fees received according to the fee schedule authorized under this chapter and Section 63J-1-504;

(c) beginning on January 1, 2013, money received in accordance with Section 41-1a-1201; and

(d) any appropriations made to the account by the Legislature.

(3) (a) The account shall earn interest.

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(b) All interest earned on account money shall be deposited in the account.

(4) The expenses of the department in carrying out this chapter shall be provided for by legislative appropriation from ~~{} this {} the {}~~ account.

(5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24) shall be appropriated by the Legislature from ~~{} this {} the {}~~ account to ~~{} the~~

~~{} (a) {}~~ the department to implement the provisions of Section 53-1-117~~{} {}~~, except that of the amount in excess of \$45, ~~{} \$40 {}~~ \$100 shall be deposited in the State Laboratory Drug Testing Account created in Section 26-1-34. ~~{} {} or {}~~

~~{} (b) the Department of Health to implement the provisions of Section 26-1-34. {}~~

(6) All money received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by the Legislature from ~~{} this {} the {}~~ account to the department to implement the provisions of Section 53-1-117.

(7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000 annually from the account to the state medical examiner appointed under Section 26-4-4 for use in carrying out duties related to highway crash deaths under Subsection 26-4-7(1).

(8) The division shall remit the fees collected under Subsection 53-3-105(28) to the Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal Identification provides under Section 53-3-205.5.

(9) (a) Beginning on January 1, 2013, the Legislature shall appropriate all money received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for field operations.

(b) The Legislature may appropriate additional money from the account to the Utah Highway Patrol Division for law enforcement purposes.

(10) Appropriations to the department from the account are nonlapsing.

(11) ~~The {} Legislature may appropriate funds from the account {}~~ department shall report to the Department of Health {} to implement the provisions of Section 26-1-34 {}, on or before December 31, the amount the department expects to collect under Subsection 53-3-105(24) in the next fiscal year.

Section 3. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money

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are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any any amounts previously appropriated for fiscal year 2015.

To Department of Health - Disease Control and Prevention

{ From Department of Public Safety Restricted Account \$670,000

~~_____~~ Schedule of Programs:

~~_____~~ Forensic Toxicology \$670,000

~~_____~~ To Department of Health - Disease Control and Prevention

~~_____~~ } From General Fund Restricted - State Laboratory

~~_____~~ } Drug Testing Account {(\$441)}\$228,{700}300

Schedule of Programs:

Forensic Toxicology {(\$441)}\$228,{700}300

Section 4. **Effective date.**

This bill takes effect on July 1, 2014.

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Legislative Review Note

~~_____~~ **as of 1-20-14 11:05 AM**

~~_____~~ **Office of Legislative Research and General Counsel}**